

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
KEVIN FAHERTY : CASE NO. 5-16-01017
Debtor : CHAPTER 13

WILMINGTON SAVINGS FUND :
SOCIETY, ET AL :

Movant, :

vs. :
KEVIN FAHERTY :

Respondents. :

DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362

AND NOW COMES, Kevin Faherty, and files an Answer to Wilmington Savings Fund
Society's Motion for Relief From the Automatic Stay:

1. Kevin Faherty, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding
with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.

2. Charles J. DeHart, III, Esq. was appointed the Chapter 13 Trustee.

3. Movant alleges that Debtors have failed to make monthly mortgage payments.

4. Debtor's Counsel is in the process of contacting the Debtor to ascertain if said
payments have been made or if the Debtor is in possession of the funds needed to cure the arrears.

5. In the event there remains an arrears, the Debtor wishes to enter into a Stipulation to
cure the arrears over a six month period and/or include the arrears in an amended Plan.

6. Movant is not entitled to relief from the automatic stay as there is equity in the
property encumbered by Movant's security interest, arrearage amount due has been paid or shall be
paid through the Chapter 13 Plan, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: September 6, 2016

/s/Tullio DeLuca
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 6, 2016, he caused a true and correct copy of Debtor's Answer to Wilmington Savings Fund Society's Motion for Relief from the Automatic Stay to be served via electronic filing to the CM/ECF participant at the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

[Joshua Goldman, Esq at jgoldman@kmlawgroup.com](mailto:jgoldman@kmlawgroup.com)

Date: September 6, 2016

/s/Tullio DeLuca
Tullio DeLuca, Esq.